



U.S. Department of Justice

United States Attorney  
Southern District of New York

86 Chambers Street  
New York, New York 10007

March 10, 2020

**BY ECF**

The Honorable Lewis J. Liman  
United States District Judge  
Daniel Patrick Moynihan United States Courthouse  
500 Pearl Street  
New York, New York 10007

**MEMORANDUM ENDORSED**

Re: *Ian MacDougall v. U.S. Department of Justice*, No. 20-CV-1574

Dear Judge Liman:

Pursuant to your February 28, 2020 order (Dkt. 4), I write on behalf of the parties in advance of the initial pretrial conference scheduled for March 17, 2020 at 3:15 p.m. in the above case. Ian MacDougall filed this action pursuant to the Freedom of Information Act ("FOIA"), 5 U.S.C. § 552, seeking the release of certain documents by the Department of Justice's Justice Management Division ("JMD"). Specifically, MacDougall seeks records about real property subject to forfeiture in the Consolidated Asset Tracking System (the "FOIA Request").

The parties have conferred and JMD is in the process of determining the amount of time it will need to process the FOIA Request, and expects that it will be able to propose a schedule for JMD to respond to the FOIA Request to plaintiff by April 10, 2020. Accordingly, the parties respectfully request that the initial conference be adjourned until after that date, at which time the parties will have a better sense of the scope of any motion practice that may be necessary.

In addition, as with most FOIA matters, the parties anticipate that any legal issues arising from the agency's position or production will be resolved through cross-motions for summary judgment without discovery. *See, e.g., Wood v. FBI*, 432 F.3d 78, 85 (2d Cir. 2005); *Carney v. U.S. Dep't of Justice*, 19 F.3d 807, 812-13 (2d Cir. 1994). Accordingly, the parties respectfully request that they not be required to submit the proposed case management plan and scheduling order required by the Court's Individual Practices in Civil Cases. Instead, the parties propose they submit a joint letter to the Court by April 10, 2020 advising the status of the case and, if necessary, proposing a briefing schedule for summary judgment motions.

Respectfully submitted,

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By: /s/ Melissa A. Childs  
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GRANTED. The parties shall submit a joint letter to the Court by April 10, 2020. The conference previously scheduled for March 17, 2020 is adjourned until April 14, 2020 at 3:30 p.m. The parties will not be required to submit a case management plan.

SO ORDERED. 3/10/2020.

A handwritten signature in black ink, appearing to read 'L. Liman', written over a horizontal line.

LEWIS J. LIMAN  
United States District Judge